

PROB 12C
(7/93)

Report Date: May 11, 2011

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

MAY 11 2011

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
WASHINGTON, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nicholas Scott Ferryman

Case Number: 2:06CR02155-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 5/8/2007

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 37 Months; TSR - 38 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: James P. Hagarty

Date Supervision Commenced: 5/7/2010

Defense Attorney: Kevin Lee Holt

Date Supervision Expires: 5/6/2013

PETITIONING THE COURT

To issue a bench warrant and incorporate the violations contained in this petition with the violations previously reported to the Court on 12/28/2010.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number **Nature of Noncompliance**

3

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Nicholas Ferryman is considered in violation of his period of supervised release in the Eastern District of Washington by committing the offense of assault in the second degree on or prior to May 9, 2011.

On May 9, 2011, officers from the Pasco Police Department were dispatched to an assault. Information provided at the scene noted the defendant and a female friend had arrived at a local motel and initiated an assault on two individuals. It was specifically noted the defendant assaulted a male subject by repeatedly punching him in the head. The officer's report noted the victim was attacked so swiftly that he did not have time to defend himself. It was further stated the victim was "knocked down or unconscious". While the defendant was attacking the male victim, the girlfriend was assaulting another female at the residence.

The defendant and his female companion drove away after the assault and were contacted by an officer after they parked at a local boat launch. The vehicle matched the description

provided by the victims and witnesses. A records check was completed, and the defendant was identified as the owner. The contacting officer was advised the defendant was wanted for questioning about the assault. The defendant and his girlfriend were taken into custody.

The defendant is currently incarcerated in the Franklin County Jail awaiting his initial appearance on the case. The defendant has been charged with assault in the second degree under case number 11-17513.

- 4 **Standard Condition # 7:** Defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Supporting Evidence: Nicholas Ferryman is considered in violation of his period of supervised release in the Eastern District of Washington by using alcohol to excess on or prior to March 9, 2011.

According to the arrest report provided by the Pasco Policed Department, the arresting officer noted, "Nicholas was very intoxicated from alcohol" when he was taken into custody.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/11/2011

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other



Signature of Judicial Officer

5/11/2010

Date